

The meeting was called to order at 7:00 p.m. by Mayor Bill Seuell. Also present were Councilmembers Kay Carlquist, Jim Berger, Robert Jurca, and Mary Cooper, along with City Manager Lanny Sloan and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led those present in the pledge of allegiance.

Changes to the Agenda

Mayor Seuell asked that Item F, the Delta Urban Renewal Authority's consideration of the lease with the Chamber of Commerce for 301 Main Street, be removed from the Agenda. Council agreed to remove the item from tonight's Agenda, and to schedule a work session with the Chamber of Commerce prior to the next Council meeting.

Minutes

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to approve the minutes of the April 15, 2007 meeting as presented. All in favor, motion carried.

Citizen Comments

Dottie Boyd of 1780 Pioneer Road addressed Council concerning two large Chinese elm trees located on her property just south of Cunningham Orchard Estates subdivision. The trees have been deprived of their normal water source, since the irrigation ditch which used to supply water has been piped. Ms. Boyd asked Council to consider adopting regulations to protect existing trees when development occurs.

David Brown invited Council, staff and the public to the annual "Crime Stoppers" banquet at Zacks in Hotchkiss on June 15.

3.2% Beer License Renewal: Wal-Mart Super Center

The Clerk reported that the renewal application was complete and that all required fees had been paid. The Police Department reported no violations during the past twelve months and recommended approval of the renewal.

Councilmember Berger pointed out that the Legislature has recently approved an increase in the fees local licensing authorities are allowed to charge the applicant to cover the cost of processing new liquor licenses, changes of ownership, and renewals. He asked Council to consider increasing the fees accordingly. The City Clerk will provide information concerning the City's cost of processing the various applications.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to approve the 3.2% beer license renewal for Wal-Mart Super Center. All in favor, motion carried.

Delta Housing Authority Request to Waive Building Permit and Plan Review Fees

City Manager Sloan reported that he had received a request from the Delta Housing Authority to waive building permit and plan review fees in the amount of \$299.06 for an addition to a residence located at 1053 Palmer. Mr. Sloan went on to explain that the City Code does not provide for waiving building permit fees, plan check fees, or use taxes. The Council's only option would be to pay the fees from their donation line item. Since there is only a minimal amount of funds left in this item, staff recommended denial of the Housing Authority's request. He pointed out that a similar request from a local church was denied earlier in the year.

Councilmember Berger noted that the Housing Authority should be encouraged to submit a donation request for the 2008 budget if they plan to submit a similar request for the Work Force Housing Project.

It was moved by Councilmember Jurca and seconded by Councilmember Berger to deny the Delta Housing Authority's request to waive building permit and plan review fees. All in favor, motion carried.

Regular Meeting, Delta City Council, June 5, 2007 (Cont.)

DMEA Utility Easement

Assistant City Manager Steve Glammeyer explained that Delta County has built a new office building at the airport, and needs power to the building. Delta Montrose Electric's existing power line ends at a power pole on City property. In order for them to serve the new airport office building, DMEA must complete an extension across City property. Mr. Glammeyer presented an agreement providing a 20' utility easement for the extension and recommended that Council authorize the City Manager to sign it.

City Attorney Schottelkotte recommended removal of the second from the last sentence in the proposed agreement, which reads "Grantor covenants that he/she/they are the owners of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:"

It was moved by Councilmember Berger and seconded by Councilmember Cooper to grant an easement across City-owned property for the purpose of a DMEA power line extension to serve the airport, and to allow the City Manager to sign the easement form, with the modification recommended by the City Attorney. All in favor, motion carried.

City Attorney Comments

City Attorney Schottelkotte reported that a contract for purchase of property at 115 Columbia Street from Alice L. Grant has been signed by both Ms. Grant and the Assistant City Manager. The contract is contingent upon approval by City Council, and will be brought to Council at their next meeting.

City Manager Comments

Mr. Sloan announced a meeting of the Comprehensive Plan Steering Committee on June 18, and the Airport Advisory Committee on June 13.

The City Manager stated that the new advisory committee has been formed, but still needs a Council representative. Councilmember Cooper volunteered.

At the City Manager's request, Roger Christian of the Delta Police Department updated Council on the remodeling project at the Animal Resource Center. Commander Christian noted that the project is currently about 50% complete, with a completion date of July 7 called for in the contract. The Commander went on to review the proposed change orders for Council.

Councilmember Comments

Councilmember Berger reported on the following:

CML Policy Committee – May 18 in Denver

- Passage of HB1008, concerning presumptive eligibility of firefighters for workers compensation benefits for certain types of cancer was a disappointment;
- Items added to CML policy statement included energy planning and production, verbiage indicating that the General Assembly should reimburse municipalities for cost of State mandates; support for municipal officials to determine local purchasing and contracting procedures;
- Reports of other legislation adopted included increased caps for local liquor licensing fees, and the reduction of the maximum fees municipalities can collect for copies to \$.25 per page.

Delta Library District Board – May 23 and 24

- Participated in the interview of candidates for the new librarian to serve the Delta Library. Job was offered to and accepted by Janice Prestridge of Fort Collins.

Delta Housing Authority Monthly Meeting – May 29

- MJL Partners and the Housing Authority are working on an agreement, and MJL Partners is looking for suitable land for the Work Force Housing Project;
- 2006 audit report shows the DHA to be in good shape financially;
- Councilmember Berger's term on the DHA expires this month, and Council needs to appoint a new Council representative.

Regular Meeting, Delta City Council, June 5, 2007 (Cont.)

Councilmember Comments (Cont.)

Mr. Berger also reported that he had participated in the Relay for Life on June 1, where he read the 540 names of those honored and memorialized. Approximately \$51,000 was raised to further cancer research.

Councilmember Berger indicated he would like to see an Agenda item in the near future for paying down the loan on the power transmission line.

Mayor Seuell stated he had not been able to attend the recent Region 10 meeting because of his back surgery.

Councilmember Cooper stated she had recently received several complimentary calls concerning the Police Department.

Mayor Seuell requested an executive session to discuss the evaluation form for the City Manager's annual performance appraisal.

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Cooper to convene an Executive Session for discussion of a personnel matter under CRS Section 24-6-402(4)(f) and not involving any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; more specifically to discuss the evaluation form proposed to be used in the City Manager's annual performance appraisal. All in favor, motion carried.

At 7:37 p.m., the Regular Meeting was recessed. The Executive Session was convened a short time later.

At 8:12 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Councilmembers Kay Carlquist, Robert Jurca, Mary Cooper and Jim Berger. For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The Regular Meeting was immediately adjourned.

Mary Lynn Williams, CMC, City Clerk